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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------------------|-----------------------------|
| 10/684,768 | 10/14/2003 | Sachin Navin Chheda | 200308767-1 | 3359 |
| 22879 7590 10/13/2009 HEWLETT-PACKARD COMPANY Intellectual Property Administration 3404 E. Harmony Road Mail Stop 35 FORT COLLINS, CO 80528 | | | EXAMINER REHMAN, MOHAMMED H | |
| | | | ART UNIT 2116 | PAPER NUMBER |
| | | | NOTIFICATION DATE 10/13/2009 | DELIVERY MODE ELECTRONIC |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
3404 E. Harmony Road
Mail Stop 35
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In re Application of: CHHEDA, et al.
Application No. 10/684,768
Attorney Docket No. 200308767-1
Filed: October 14, 2003
For: SERVER CARD POWER SWITCH

SUA SPONTE
WITHDRAWAL OF HOLDING OF
ABANDONMENT

A review of the application reveals that a Notice of Abandonment was mailed to the applicant on October 2, 2009. The notice incorrectly indicated that the instant application was being held abandoned "in response to the decision by the Board of Appeals and Interferences (the Board) rendered on 30 June 2009 and because the period for seeking court review of the decision has expired *and there are no allowed claims*". Reference to the Decision on Appeal (page 2 thereof), mailed July 2, 2009, reveals that claims 19-28 were indicated to be allowed by the Examiner. Note, in addition, claims 3-8, 11 and 14-18 were indicated to be objected to by the Examiner.

The claims under appeal were claims 1-2, 9-10 and 12-13. In the decision rendered on June 30, 2009, the Board affirmed the obviousness rejection of claims 1-2, 9-10 and 12-13.

In accordance with M.P.E.P. § 1214.06(II), with the above noted facts, the examiner should exercise the following option:

The appellant is not required to file a reply. The examiner issues the application or ex parte reexamination certificate on the claims which stand allowed. *>For paper files, a < red-ink line should be drawn through the refused claims and the notion "Board Decision" written in the margin in red ink.

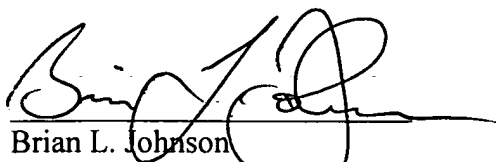
For example, if the Board affirms a rejection of claim 1, claim 2 was objected to prior to appeal as being allowable except for its dependency from claim 1 and independent claim 3 is allowed, the examiner should cancel claims 1 and 2 and issue the application or ex parte reexamination certificate with claim 3 only.

In view of these facts, the abandonment of the application was clearly in error and is hereby **VACATED**.

The application is being forwarded to the Supervisory Legal Instruments Examiner with instructions to **WITHDRAW** the holding of abandonment, restore the instant application to pending status. The application will then be forwarded to the Examiner of record for prompt action on the merits, *in accordance with this decision*.

Application No. 10/684,768

Inquiries to this decision may be directed to the undersigned at (571) 272-3595.

A handwritten signature in black ink, appearing to read "Brian L. Johnson", written over a horizontal line.

Brian L. Johnson
Quality Assurance Specialist, Technology Center 2100
Computer Architecture, Software, and Information Security